REMARKS

This is in response to the final Office Action of July 7, 2009. Claims 1-19 are currently pending. Claims 10-19 are withdrawn. Claims 1, 2, 7 and 8 have been amended. Claims 5 and 6 are cancelled. Applicant asserts that the amendments herein do not introduce any new features that would require the Examiner to conduct an additional search. Moreover, the limitations added to claim 1 are derived from claims 5 and 6.

Reconsideration of the application as amended are respectfully requested.

Summary of the Office Action

Claim 8 stands rejected under 35 U.S.C. § 112, first paragraph.

Claims 7-8 stand rejected under 35 U.S.C. § 112, second paragraph.

Claims 1-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 09039024 with English Abstract and Machine Translation to Keiji (hereinafter "Keiji") in view of U.S. Patent No. 4,840,553 to Arai (hereinafter "Arai").

Rejections Under 35 U.S.C. §112

Claim 8 stands rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. According to the Examiner, there is no suggestion or description in the specification that the containment flange is formed by injection molding from the injection molding injector. Claim 8 has been amended, removing "by injection molding from said injection molding injection." Accordingly, the rejection should be withdrawn.

Claims 7-8 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner states there is insufficient antecedent basis for the limitation "said at least one first composition injector" and "said at least one second injector" in claim 7. Claim 7 has been amended to provide proper antecedent basis. Applicant asserts that the rejection to claim 8 is moot in view of the amendment detailed above.

The Claims Patentably Distinguish from the References

The Examiner asserts that Keiji teaches a molding apparatus, comprising: mold members defining a plurality of fixed mold cavities for injection molded articles therein, and an in-mold

coating injector having nozzles fluidly connected to each of the plurality of mold cavities for in-mold coating the molded articles in the plurality of mold cavities for in mold coating the molded articles in the plurality of mold cavities, the plurality of mold cavities fluidly connected to the mold members and the injectors configured to injection mold and in-mold coat molded articles in the mold cavities.

The Examiner acknowledges that Keiji fails to teach or suggest an injection molding injector with a single nozzle fluidly connected to each of the plurality of mold cavities; however, asserts that Arai teaches a molding apparatus for molding multi-layer resin having first and second composition that share a common pathway to fluidly connect to the mold cavity. The Examiner holds that one of ordinary skill in the art would have found it obvious to provide the shared pathway of Arai in the molding apparatus in Keiji since allegedly it would allow a coating injector having a single nozzle to connect to a plurality of mold cavities via a single nozzle, thus eliminating the need for a coating injector with a plurality of nozzles. Applicant respectfully traverses the rejection.

Applicant respectfully submits that the combination of Keiji and Arai is improper in that it fails to disclose all the limitations of claim 1. Particularly, this is because fluidly connecting the single nozzle taught in Arai to the multiple mold cavities taught in Keiji, as offered by the Examiner, is outside the teaching of either reference. Arai teaches the use of a single nozzle with a shared pathway to a single cavity. Therefore, if Arai was combined with the teaching of Keiji, the result would be multiple cavities, each being separately fluidly connected to single nozzles with a shared pathway. The arrangement offered by the Examiner has been created with the use of impermissible hindsight. The Examiner asserts that any judgment on obviousness is in a sense necessarily hindsight reasoning. However, the Examiner has provided no explanation as to how, after combining Keiji and Aria, one skilled in the art would be motivated to arrange a molding apparatus as is presently claimed. The Examiner appears to improperly incorporate knowledge gained from the present disclosure.

Moreover, claim 1 has been amended to recite a molding apparatus including mold members, an injection molding injector, an in-mold coating injector, a runner section, and an in-mold coating injector passageway fluidly connected to the in-mold coating injector and the runner section, the in-mold coating injector passageway having a smaller cross-sectional area than the runner section adjacent an intersection between the in-mold coating injector passageway

and the runner section, wherein the runner section is generally cylindrical with a portion of the runner section adjacent the intersection being relatively flat shape.

The content of the amendment was previously found in now-cancelled claims 5 and 6. Claim 6 previously depended from claim 5, which depended from claim 1. As such, the proposed combination of elements has already been searched by the Examiner, and thus requires no additional search. With regard to claim 6, the Examiner recognizes the neither Keiji nor Arai teach that the runner section is generally cylindrical with a portion of the runner that intersects the passageway has a flat shape. However, the Examiner asserts that a mere change in shape without affecting the function of the part would have been within the level of ordinary skill of the art. Applicant respectfully disagrees with the Examiner, since the shape of the runner section does affect the function of the claimed device. The runner section is generally cylindrical and only the portion intersecting the in-mold coating passageway is flattened [0028]. This change is shape, from cylindrical to flat is significant to the subject application, and not taught in either Keiji or Arai.

Specifically, paragraph [0028] recites, "[f]orming a flat runner section is intended to promote better flow distribution of the IMC composition introduced through second injector 32 (in-mold coating injector) onto the runner formed in runner section 40." Changing the runner's shape from cylindrical to flat clearly changes the flow distribution in a way that would not be achieved if the entire runner was the same size, as is illustrated in Arai. Moreover, paragraph [0028] continues to explain that the flatness of the runner portion better urges or directs the IMC along the formed runner toward part cavities. The present invention distinguished between the runner section generally and the flat *portion* of the runner section that intersects the passageway. Clearly, this feature affects the functioning of the apparatus and should not be passed over by the Examiner.

Accordingly, for at least the reasons detailed above, Applicant submits that Keiji and Arai do not, independently or in combination, teach or suggest independent claim 1, along with claims 2-4 and 7-9 that depend therefrom. As such, the rejection should be withdrawn.

CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1-4, 7-9) are now in condition for allowance.

Respectfully submitted,

FAY SHARPE LLP

August 20, 2009
Date

Scott A. McCollister, Reg. No. 33,961
Kimberly A. Textoris, Reg. No. 64,954
1100 Superior Avenue, Seventh Floor
Cleveland, OH 44114-2579
216-861-5582

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being ☐ deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below. ☒ transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.	
Express Mail Label No.:	Signature: Barbara Brazier
Date: August 21, 2009	Name: Barbara Brazier

N:\OMNZ\200039\US\bjb0007646V001.docx